

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 1170*

House Bill No. 1055

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting the language in Section 2(e)(1) and (2), as amended, and by substituting instead the following language:

(1) If a permit holder is arrested and charged with burglary, a felony drug offense or a felony offense involving violence or the use of a firearm, then the court first having jurisdiction over the permit holder with respect to such felony charge shall order the permit holder to surrender the permit and the court shall send the permit to the department with a copy of the court's order which required the surrender of the permit. The department shall suspend the permit pending a final disposition on the felony charge against the permit holder.

(2) If a permit holder is arrested and charged with any felony offense other than an offense subject to the provisions of subdivision (1) above, then the court first having jurisdiction over the permit holder with respect to such felony charge shall order the permit holder to surrender the permit and the court shall send the permit to the department with a copy of the court's order which required the surrender of the permit unless the permit holder petitions the court for a hearing on such surrender. If the permit holder does petition the court, such court shall determine whether the permit holder will present a material risk of physical harm to the public if released and allowed to retain the permit. If the court determines that the permit holder will present such a material risk it shall condition any release of the permit holder, whether on bond or otherwise, upon the permit holder's surrender of the permit to the court. Upon surrender of the

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permit, the court shall send the permit to the department with a copy of the court's order which required the surrender of the permit and the department shall suspend the permit pending a final disposition of the felony charges against the permit holder.

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